

**IN THE CLAIMS**

1. (currently amended) An intervertebral distraction tool, comprising:

a longitudinal shaft having a distal end and a proximal end;

a clamshell-style trial head at the distal end of the longitudinal shaft, the trial head having a proximal portion, the trial head being laterally separable from the longitudinal shaft; and

a head separator having an engagement portion, the engagement portion of the head separator being longitudinally movable relative to the longitudinal shaft and engagable by the longitudinal movement with the proximal portion of the trial head; wherein

when the engagement portion of the head separator engages the proximal portion of the trial head, the trial head laterally separates from the longitudinal shaft, wherein the trial head comprises first and second jaw members, each having a distal end and a proximal end, the proximal ends being the proximal portion of the trial head, the distal ends of the first and second jaw members being hinged to one another at the distal end of the longitudinal shaft so that the proximal ends of the first and second jaw members are openable and closeable about the longitudinal shaft.

2. (cancel)

3. (currently amended) The intervertebral distraction tool of claim-2\_1, wherein the each of the first and second jaw members has a curvate outer surface and a flat inner surface.

4. (currently amended) The intervertebral distraction tool of claim-2\_1, wherein the first and second jaw members are hinged by a hinge that allows the first and second jaw members

to angulate with respect to one another at the hinge and that allows the distal ends of the first and second jaw members to separate from one another at the hinge.

5. (currently amended) The intervertebral distraction tool of claim ~~2~~ 1, wherein the proximal ends of the first and second jaw members are laterally inwardly tapered toward the distal end of the longitudinal shaft and the engagement portion of the head separator is laterally inwardly tapered toward the distal end of the longitudinal shaft, so that when the engagement portion engages the proximal ends of the first and second jaw members, the inwardly tapered portion of the engagement portion pushes the inwardly tapered portions of the first and second jaw members laterally away from the longitudinal shaft.

6. (original) The intervertebral distraction tool of claim 5, wherein the head separator comprises a longitudinal sleeve having a longitudinal bore through which the longitudinal shaft is disposed so that the longitudinal sleeve is longitudinally translatable on the longitudinal shaft, the longitudinal sleeve having a distal end that includes the engagement portion.

7. (currently amended) ~~The intervertebral distraction tool of claim 1,~~ An intervertebral distraction tool, comprising:

a longitudinal shaft having a distal end and a proximal end;

a clamshell-style trial head at the distal end of the longitudinal shaft, the trial head having a proximal portion, the trial head being laterally separable from the longitudinal shaft; and

a head separator having an engagement portion, the engagement portion of the head separator being longitudinally

movable relative to the longitudinal shaft and engagable by the longitudinal movement with the proximal portion of the trial head; wherein

when the engagement portion of the head separator engages the proximal portion of the trial head, the trial head laterally separates from the longitudinal shaft, and wherein the head separator comprises a longitudinal sleeve having a longitudinal bore through which the longitudinal shaft is disposed so that the longitudinal sleeve is longitudinally translatable on the longitudinal shaft, the longitudinal sleeve having a distal end that includes the engagement portion.

8. (original) The intervertebral distraction tool of claim 7, wherein the engagement portion of the head separator is laterally inwardly tapered toward the distal end of the longitudinal shaft and the proximal portion of the trial head is laterally inwardly tapered toward the distal end of the longitudinal shaft, so that when the engagement portion engages the proximal portion, the laterally inwardly tapered portion of the engagement portion pushes the laterally inwardly tapered portion of the trial head laterally away from the longitudinal shaft.

9. (original) The intervertebral distraction tool of claim 8, wherein the trial head comprises first and second jaw members, each of the first and second jaw members having a proximal end, the proximal ends being the proximal portion of the trial head, the first and second jaw members being separable at the proximal ends, each of the proximal ends being laterally inwardly tapered toward the distal end of the longitudinal shaft, so that when the engagement portion of the head separator engages the proximal ends of the first and second jaw members, the inwardly tapered portion of the engagement portion pushes

the inwardly tapered portions of the first and second jaw members laterally away from the longitudinal shaft.

10. (original) The intervertebral distraction tool of claim 9, wherein each of the first and second jaw members has a distal end, the distal ends of the first and second jaw members being hinged to one another at the distal end of the longitudinal shaft so that the proximal ends of the first and second jaw members are openable and closeable about the longitudinal shaft.

11. (original) The intervertebral distraction tool of claim 10, wherein the first and second jaw members are hinged by a hinge that allows the first and second jaw members to angulate with respect to one another at the hinge and that allows the distal ends of the first and second jaw members to separate from one another at the hinge.

12. (original) An intervertebral distraction tool, comprising:

a longitudinal shaft having a distal end;

a clamshell-style head mounted about the longitudinal shaft at the distal end of the longitudinal shaft, the head having a hinged end at the distal end of the longitudinal shaft and an openable end opposite the hinged end; and

a longitudinal sleeve that is longitudinally translatable along the longitudinal shaft, the longitudinal sleeve having a distal end engageable by the longitudinal translation with the openable end of the head; wherein

when the distal end of the longitudinal sleeve engages the openable end of the head, the openable end opens.

13. (original) The intervertebral distraction tool of claim 12, wherein the openable end has distally tapering

surfaces adjacent the longitudinal shaft and the distal end of the longitudinal sleeve has a distally tapering ram, such that when the ram engages the distally tapering surfaces, the surfaces are separated from the longitudinal shaft.

14. (original) The intervertebral distraction tool of claim 12, wherein the hinged end is hinged by a separating hinge.

15. (original) The intervertebral distraction tool of claim 12, wherein the head has curvate outer surfaces and flat inner surfaces.